

Applicant : Jost-Ulrich Kuegle
Serial No. :
Filed :
Page : 5

Attorney's Docket No.: 13287-002001 / K27520PCUS
DO/bp

REMARKS

Claims 1-13 are pending in this application. These claims were substituted for the original claims of the published International application during International preliminary examination and appeared as an Annex to the International Preliminary Examination Report. All of the claims have been amended herein, including to delete unnecessary reference numerals and to eliminate improper multiple dependencies (claims 4 and 5). The specification has also been amended, including to add preferred section headings and to replace improper mention of the claims in the summary with the language of the original claims. We submit that no new matter has been introduced.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be examined. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 26, 2001



Timothy A. French
Reg. No. 30,175

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Version with markings to show changes made

In the specification:

Section heading before paragraph beginning at page 1, line 11 has been amended as follows:

[Prior Art] --Background of the Invention--

Section heading before paragraph beginning at page 2, line 26 has been amended as follows:

[Achievement] --Summary of the Invention--

Paragraph beginning at page 2, line 26 has been amended as follows:

--According to the invention, the object is achieved by a children's rocking toy, in particular in the form of a stylized horse, having a one-piece basic body made of flexible synthetic material, a simply curved rocking surface forming the base of the rocking toy and a seat region molded into it [according to Claim 1]. Expedient further refinements of the rocking toy include one of more the following. The basic body widens in its cross section towards the base. The seat region is molded into the basic body to an extent sufficient to provide a backrest region. The basic body has, at its two longitudinal end regions, two curvatures in the form of a horse's head and a horse's rear part, respectively, with the vertical height of both curvatures being greater than the vertical height of the seat region, so that they form an additional support for a child sitting in the seat region. The material forming the basic body is of a Shore hardness sufficient for the basic body, on the one hand, to have sufficient stability when rocking and, on the other hand, can be deformed in a sufficiently flexible manner so that it yields when a child is resting on one of its side surfaces. The flexible synthetic material is a foam. The basic body is manufactured, in particular cut, from a foam block. The rocking surface has a non-slip backing made of leather or imitation leather. The basic body is covered with a material covering. The seat region has a leather layer as the saddle. The backing is connected to the basic body by a touch-and-close or zip fastener or is buttoned to it (press-stud) or by a strap (or leather strap) with an overhang and eyelet for exchanging or for cleaning or washing purposes. The horse's head has a mane and ears designed as grips, and the horse's rear part has a tail. The horse's rear part has a

tail made from the material covering. The tail and the mane of the horse's head consist of real, artificial or stylized hairs. The mane of the horse's head is designed as a pattern imprinted into the material covering. The basic body, which consists of a foam, has, for stabilization purposes, a core that consists of foams of expandable polystyrene. [according to the invention emerge from Claims 2 to 16].--

Section heading before paragraph beginning at page 4, line 14 has been added as follows:

--Description of Drawings--

Section heading before paragraph beginning at page 4, line 19 has been added as follows:

--Description of Preferred Embodiment--

In the claims:

Claims 1-13, substituted during International Preliminary Examination, and attached as an Annex to the International Preliminary Examination Report, have been amended as follows:

--1. (Amended) Children's rocking toy in the form of a stylized horse, having a one-piece basic body [(1)] made of flexible synthetic material which has a simply curved rocking surface [(2)] forming the base of the rocking toy and a seat region [(3)] molded into it, the basic body [(1)] forming in its tipped over side position a reclining or sleeping base for a child, characterized in that the seat region [(3)] is molded a good distance into the basic body [(1)] and thereby forms a backrest region [(8)], in that the basic body [(1)] has, at its two longitudinal end regions, two curvatures [(9, 10)] in the form of a horse's head [(4)] and of a horse's rear part [(5)], respectively, with the height of both curvatures being greater than the depth of the molded-in seat region [(3)], as a result of which an additional support for a child sitting in the seat region [(3)] is formed, in that the cross section of the basic body [(1)] widens from its upper, narrow side, which forms the horse's head [(4)], seat region [(3)] and horse's rear part [(5)], towards the curved rocking surface [(2)] in a continuous and uniform contour of the side surfaces, and in that the rocking surface [(2)] has a non-slip backing [(2a)] made of leather or imitation leather. --

--2. (Amended) Children's rocking toy according to Claim 1, characterized in that the flexible synthetic material is of a Shore hardness sufficient for the basic body [(1)], on the one

hand, to have sufficient stability when rocking and, on the other hand, can be deformed in a sufficiently flexible manner so that it yields when a child is resting on one of its side surfaces.--

--3. (Amended) Children's rocking toy according to Claim 1 or 2, characterized in that the flexible synthetic material is a foam.--

--4. (Amended) Children's rocking toy according to Claim 1 or 2 [one of Claims 1 to 3], characterized in that the basic body [(1)] has a core whose material is harder than the flexible synthetic material surrounding it. --

--5. (Amended) Children's rocking toy according to Claim 4 [which refers back to Claim 3], characterized in that the basic body has a core whose material is harder than the flexible synthetic material surrounding it, the core of the basic body consisting [consists] of foams made of expanded polystyrene.--

--6. (Amended) Children's rocking toy according to Claim 3, characterized in that the basic body [(1)] is manufactured, in particular cut, from a foam block.--

--7. (Amended) Children's rocking toy according to Claim 1, characterized in that the basic body [(1)] is covered with a material covering.--

--8. (Amended) Children's rocking toy according to Claim 1, characterized in that the seat region [(3)] has a leather layer as the saddle.--

--9. (Amended) Children's rocking toy according to Claim 1, characterized in that the backing [(2a)] is connected to the basic body [(1)] by a touch-and-close or zip fastener or is buttoned to it [(press-stud)] or by a strap [(or leather strap)] with an overhang and eyelet for exchanging or for cleaning or washing purposes.--

--10. (Amended) Children's rocking toy according to Claim 1, characterized in that the horse's head [(4)] has a mane [(7)] and ears [(11) which are] designed as grips, and the horse's rear part [(5)] has a tail [(6)].--

--11. (Amended) Children's rocking toy according to Claim 1, characterized in that the horse's rear part [(5)] has a tail [(6)] made from the material covering.--

--12. (Amended) Children's rocking toy according to Claim 10, characterized in that the tail [(6)] and the mane [(7)] of the horse's head [(4)] consist of real, artificial or stylized hairs.--

--13. (Amended) Children's rocking toy according to Claim 8, characterized in that the mane [(7)] of the horse's head [(4)] is designed as a pattern [which is] imprinted into the material covering.--